

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PACIFIC NORTHWEST REGIONAL
COUNCIL OF CARPENTERS,

Plaintiff,

v.

CAICOS CORPORATION,

Defendant.

Case No. C08-5747RBL

ORDER REQUESTING RESPONSE TO
MOTION FOR RECONSIDERATION

THIS MATTER comes before the Court on Plaintiff Pacific Northwest Regional Council of Carpenters' (hereafter "Union") Motion for Reconsideration [Dkt. #27] of the Court's Order Denying Plaintiff's Motion for Summary Judgment and Attorney's Fees. [Dkt. #26].

Motions for reconsideration are generally disfavored. The court will ordinarily deny such motions in the absence of a showing of *manifest error* or a showing of new facts or authority which could not have been brought to its attention earlier with reasonable diligence. CR 7(h)(1), Local Rules W.D. Wash. No motion for reconsideration will be granted unless an opposing party has been afforded the opportunity to file a response. CR 7(h).

Plaintiff argues that the court erroneously addressed the merits of the dispute in denying the Motion to Compel Arbitration. The Defendant's defense to arbitration is that Plaintiffs refused to submit the dispute to mediation. However, mediation does not appear to be mandatory under the terms of the parties' CBA. See CBA [Dkt. #1 Ex. A at 22-23].

1 The Court hereby REQUESTS that the Defendant file a short response to the Plaintiff's Motion
2 for Reconsideration [Dkt. #27] addressing this issue, and what it contends is the alternative to arbitration.
3 The response should be filed no later than September 24, 2009.

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5 IT IS SO ORDERED.

6 Dated this 17th day of September, 2009.

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8 RONALD B. LEIGHTON
9 UNITED STATES DISTRICT JUDGE